

Serial No.: 10/577,959
Examiner: Lee S. Cohen
Reply to Office Action Mailed February 17, 2009
Page 6 of 9

REMARKS

Reconsideration is requested in view of the above amendments and the following remarks. Claims 1, 4 and 11 have been revised. New claims 12-15 have been added. Support for the revisions and new claims can be found at, e.g., the 3rd and 4th full paragraphs on page 4, the paragraph bridging pages 4 and 5, the 1st full paragraph on page 5, the 4th and 5th full paragraphs on page 14 of the specification and Fig. 4, among other places. Claim 3 has been canceled without prejudice. Claim 10 has been revised to depend from claim 1. Claims 1-2, 4, 6 and 9-15 are pending in the application.

Claim Rejections – 35 USC § 103

Claim 11 is rejected under 35 USC 103(a) as being unpatentable over Kornrumpf et al. (US 6,415,169) in view of Chastain et al. (D501,558). Applicants respectfully traverse this rejection.

Claim 11 requires a first soft member that is softer than a base material film and is disposed on a first outermost surface of a wiring. Claim 11 also requires that a width of the first soft member be larger than a width of the base material film in a vertical direction that a circuit is to be extended. The present first soft member having a width that is larger than that of the base material film helps prevent contact between the base material film of an extended circuit and the skin, and thus helps avoid uncomfortable feeling caused by the base material film (see, e.g., the paragraph bridging pages 4 and 5 and the last full paragraph on page 14 of the specification and Fig. 4, among other places).

Kornrumpf et al. fail to teach or suggest the first soft member that is softer than a base material film and is disposed on a first outermost surface of a wiring, as required by claim 11. Nor do Kornrumpf et al. teach or suggest that a width of the first soft member is larger than a width of the base material film in a vertical direction that a circuit is to be extended, as required by claim 11. In fact, Kornrumpf et al. merely discuss a first substrate 24 that may comprise an insulating foam or a cloth material and a second substrate 30 that may comprise a material such as foam or cloth (see Kornrumpf et al., col. 2, line 44 to col. 3, line 34 and Figs. 2-6). Nowhere do Kornrumpf et al. discuss a

Serial No.: 10/577,959
Examiner: Lee S. Cohen
Reply to Office Action Mailed February 17, 2009
Page 7 of 9

soft member that is softer than a base material film, much less that a width of the soft member is larger than a width of the base material film. Chastain et al. do not remedy the deficiencies of Kornrumpf et al. For at least these reasons, claim 11 is patentable over Kornrumpf et al. in view of Chastain et al.

Claim 11 is also rejected under 35 USC 103(a) as being unpatentable over Istvan et al. (US 7,197,357) in view of Chastain et al. Applicants respectfully traverse this rejection.

Claim 11 requires a first soft member that is softer than a base material film and is disposed on a first outermost surface of a wiring. Claim 11 also requires that a width of the first soft member be larger than a width of the base material film in a vertical direction that a circuit is to be extended. The present first soft member having a width that is larger than that of the base material film helps prevent contact between the base material film of an extended circuit and the skin, and thus helps avoid uncomfortable feeling caused by the base material film (see, e.g., the paragraph bridging pages 4 and 5 and the last full paragraph on page 14 of the specification and Fig. 4, among other places).

Istvan et al. fail to teach or suggest the first soft member that is softer than a base material film and is disposed on a first outermost surface of a wiring, as required by claim 11. Nor do Istvan et al. teach or suggest that a width of the first soft member is larger than a width of the base material film in a vertical direction that the wiring is to be extended, as required by claim 11. In fact, Istvan et al. merely discuss outer layers 22, 24 (see Istvan et al., col. 3, lines 30-34 and Fig. 2), while being completely silent as to a soft member that is softer than a base material film, much less that a width of the soft member is larger than a width of the base material film. Chastain et al. do not remedy the deficiencies of Istvan et al. For at least these reasons, claim 11 is patentable over Istvan et al. in view of Chastain et al.

Claims 1-4, 6, 9 and 10 are rejected under 35 USC 103(a) as being unpatentable over Kornrumpf et al. in view of Kroll et al. (US 4,763,660) and Chastain et al.

Serial No.: 10/577,959
Examiner: Lee S. Cohen
Reply to Office Action Mailed February 17, 2009
Page 8 of 9

Applicants respectfully traverse this rejection. Claim 3 has been canceled without prejudice. Applicants are not conceding the correctness of the rejection as to claim 3.

Claim 1 requires a first soft member that is softer than a base material film and is disposed on a first outermost surface of a wiring. Claim 1 also requires that a width of the first soft member be larger than a width of the base material film in a vertical direction that a circuit is to be extended. The present first soft member having a width that is larger than that of the base material film helps prevent contact between the base material film of an extended circuit and the skin, and thus helps avoid uncomfortable feeling caused by the base material film (see, e.g., the paragraph bridging pages 4 and 5 and the last full paragraph on page 14 of the specification and Fig. 4, among other places).

Kornrumpf et al. fail to teach or suggest the first soft member that is softer than a base material film and is disposed on a first outermost surface of a wiring, as required by claim 1. Nor do Kornrumpf et al. teach or suggest that a width of the first soft member is larger than a width of the base material film in a vertical direction that the circuit is to be extended, as required by claim 1. In fact, Kornrumpf et al. merely discuss a first substrate 24 that may comprise an insulating foam or a cloth material and a second substrate 30 that may comprise a material such as foam or cloth (see Kornrumpf et al., col. 2, line 44 to col. 3, line 34 and Figs. 2-6). Nowhere do Kornrumpf et al. discuss a soft member that is softer than a base material film, much less that a width of the soft member is larger than a width of the base material film.

Kroll et al. also fail to teach or suggest the first soft member required by claim 1. In fact, Kroll et al. merely discuss an inner patient insulation layer 40 has a thin non-conductive sheet of polyester coextensive with and bonded to an insulation and base support layer 44 (see Kroll et al., col. 5, lines 43-47 and Figs. 5-7 and 13), and an outer insulation layer 47 that is comprised of a non-conductive polyester laminate for protecting the integrity of the other elements of the belt 10 (see Kroll et al., col. 6, lines 47-53 and Figs. 5-7 and 13). Nowhere do Kroll et al. discuss a soft member that is softer than a base material film, much less that a width of the soft member is larger than a width of the base material film.

Serial No.: 10/577,959
Examiner: Lee S. Cohen
Reply to Office Action Mailed February 17, 2009
Page 9 of 9

Chastain et al. do not remedy the deficiencies of Kornrumpf et al. and Kroll et al. For at least these reasons, claim 1 is patentable over Kornrumpf et al. in view of Kroll et al. and Chastain et al. Claims 2, 4, 6 and 9-10 depend ultimately from claim 1 and are patentable along with claim 1 and need not be separately distinguished at this time. Applicants are not conceding the relevance of the rejection to the remaining features of the rejected claims.

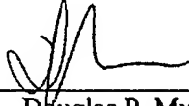
In view of the above, favorable reconsideration in the form of a notice of allowance is respectfully requested. Any questions regarding this communication can be directed to the undersigned attorney, Douglas P. Mueller, Registration No. 30,300, at (612) 455-3804.



Respectfully submitted,

HAMRE, SCHUMANN, MUELLER &
LARSON, P.C.
P.O. Box 2902-0902
Minneapolis, MN 55402-0902
(612) 455-3800

Dated: June 26, 2009

By: 
Douglas P. Mueller
Reg. No. 30,300

DPM/cy